

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SANDRA SAMUELSON,

Defendant.

**4:20CR3128**

**ORDER**

The government has moved to continue the trial, (Filing No. 124), because the government has discovered a new witness who will present substantial evidence against the defendant, particularly as it relates to the superseding indictment, and the government has not yet fully disclosed that witness' anticipated testimony. While the motion to continue is opposed, the court has a substantial interest in both justice and finality. Mr. Lunn cannot provide legal advice to Defendant regarding the risks of trial, and he cannot be adequately prepared for trial, without first understanding the testimony to be provided by the government's new witness and the impact of that testimony. The court therefore finds the trial must be continued.

IT IS ORDERED:

- 1) The government's motion, (Filing No. 124), is granted.
- 2) The trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, 100 Centennial Mall North, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on June 12, 2023, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.
- 3) As to both parties, expert witness disclosures as required under Rule 16 must be served on or before June 5, 2023.

- 4) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and June 12, 2023, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

May 18, 2023.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge